

1 MORGAN, LEWIS & BOCKIUS LLP
2 SUSAN D. RESLEY, Bar No. 161808
3 susan.resley@morganlewis.com
4 KURT B. OLDENBURG, Bar No. 287275
5 kurt.oldenburg@morganlewis.com
6 ALYSE J. GRAMAGLIA, Bar No. 287989
7 ali.gramaglia@morganlewis.com
8 ELLIE F. CHAPMAN, Bar No. 305473
9 ellie.chapman@morganlewis.com
10 One Market, Spear Street Tower
11 San Francisco, CA 94105
12 Tel: +1.415.442.1000
13 Fax: +1.415.442.1001

8 MARTHA B. STOLLEY, *Admitted Pro Hac Vice*
9 martha.stolley@morganlewis.com
10 CAROLYN A. SILANE, Bar No. 298113
11 carolyn.silane@morganlewis.com
12 101 Park Avenue
13 New York, NY 10178
14 Tel: +1.212.309.6858
15 Fax: +1.212.309.6001

12 GIBSON, DUNN & CRUTCHER LLP
13 MICHAEL LI-MING WONG, Bar No. 194130
14 mwong@gibsondunn.com
15 555 Mission Street, Suite 3000
16 San Francisco, CA 94105
17 Tel: +1.650.849.5393
18 Fax: +1.650.849.5093

16 Attorneys for Hewlett-Packard Enterprise &
17 Hewlett-Packard Company

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 vs.

23 SUSHOVAN HUSSAIN,

24 Defendant.

Case No. 3:16-cr-00462 CRB

AMENDED SUBMISSION BY HEWLETT-
PACKARD COMPANY RE FEBRUARY 28 AND
MARCH 2, 2018 ORDERS (ECF 255, 257, 259,
260)

Place: Courtroom 6, 17th Floor
Judge: Hon. Charles R. Breyer
Date Filed: November 10, 2016
Trial Date: February 26, 2018

Pursuant to the Court's March 2, 2018 Orders (ECF 259, 260), non-party Hewlett-Packard Company ("HP") files this amended submission regarding witness notes, memoranda, and summaries previously filed under seal ("Sealed Witness Summaries") which HP has produced or will produce to counsel for the defense and the United States in the above-captioned action, subject to the exceptions set out in the Court's February 28, 2018 Order (ECF 255).

HP is producing the Sealed Witness Summaries under the following assumptions:

- The Sealed Witness Summaries are intended solely for the parties in the above-captioned proceeding and in no other proceeding;
- The Sealed Witness Summaries are subject to Federal Rule of Evidence 502;
- The production of the Sealed Witness Summaries is pursuant to order of the Court in this matter and does not waive any privilege or protection available as to other parties or proceedings; and
- Consistent with the Court's order, HP may redact any material protected by the attorney-client privilege and any attorneys' opinions or impressions from the Sealed Witness Summaries.

Subject to these qualifications, and based on the USAO's Second Amended Witness List (ECF 246), HP has produced—or will produce—the following Sealed Witness Summaries responsive to Mr. Hussain's July 14, 2017 and January 3, 2018 subpoenas:

Witness Interviewed	Sealed Witness Summaries (Date)
Andy Gersh	06/28/12
Andy Johnson	04/12/13 09/04/13 10/02/13 10/21/13 05/14/15
Antonia Anderson	04/11/13 01/23/15 05/14/15 02/11/16
Brent Hogenson	06/25/12
Chris Chan	02/07/13

Witness Interviewed	Sealed Witness Summaries (Date)
Chris Goodfellow	12/09/12 07/01/13 06/27/14 01/23/15 (produced 03/02/18)
Christopher "Stouffer" Egan	07/11/12
Christopher Yelland	06/23/14 05/14/15 01/23/15 02/11/16
Darren Gallagher	09/17/12
Fernando Lucini	12/18/14 (produced 03/02/18) 01/23/15 (produced 03/02/18) 10/27/16 (produced 03/02/18)
James Crumbacher	05/30/12
Joel Scott	05/29/12
John Baiocco	11/25/13 (produced 02/27/18)
John Cronin	01/27/16 (produced 03/01/18)
Kevin Asher	09/04/13 11/01/13 11/06/13 09/12/14
Lee Welham	11/25/12
Léo Apotheker	05/23/13 06/26/14
Livius Guaio	05/31/12 08/02/12
Mike Sullivan	05/12/12 (Court released 02/26/12) 07/25/12 02/18/15 11/22/15
Manish Sarin	10/17/13 10/17/13 03/15/15 05/05/15
Nigel Mercer	11/15/12
Roger Wang	09/17/12
Sean Blanchflower	09/17/12 (produced 03/01/18) 06/09/16 (produced 03/02/18)
Paul Morland	11/09/15
Tom Murray	11/15/12
Varoon Bhagat	04/18/13

The foregoing list encompasses all Sealed Witness Summaries referenced in the Court's March 2, 2018 Orders (ECF 259, 260). HP will continue to prioritize its productions of the Sealed

Witness Summaries as the government identifies the witnesses it intends to call. Pursuant to ECF 260, HP will lodge under seal unredacted copies of the Sealed Witness Summaries produced to the USAO and defense counsel with translucent redactions for *in camera* review. All such copies will be lodged the same day or, if served after regular business hours, the following day.

Dated: March 2, 2018

Respectfully submitted,

By /s/ Kurt B. Oldenburg

SUSAN D. RESLEY
KURT B. OLDENBURG
ALYSE J. GRAMAGLIA
ELLIE F. CHAPMAN
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105

MARTHA B. STOLLEY (*pro hac vice*)
CAROLYN A. SILANE (*pro hac vice*)
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, NY 10178-0060

MICHAEL LI-MING WONG
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105

*Attorneys for Hewlett-Packard Enterprise &
Hewlett-Packard Company*